APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,977	07/28/2003	Brad Haeberle	2003P11247US	7131

7590   06/08/2010

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EXAMINER
AUGUSTINE, NICHOLAS

ART UNIT	PAPER NUMBER
2179	

MAIL DATE	DELIVERY MODE
06/08/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)
Office Action Summary		10/628,977	HAEBERLE ET AL.
		Examiner	Art Unit
		NICHOLAS AUGUSTINE	2179

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _22 April 2010_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _22-23,34 and 43-55_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _22-23,34 and 43-55_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All   b)☐ Some * c)☐ None of:

　　　　1.☐ Certified copies of the priority documents have been received.

　　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)　　　　　　　　　　**Office Action Summary**　　　　　　　　Part of Paper No./Mail Date 20100521

DETAILED ACTION

A.   This action is in response to the following communications: Amendment after

BPAI Decision filed: 04/22/2010. This action is made **Final**.

B.   Claims 22-23, 34 and 43-55 remain pending.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 22-23, 34 and 43-55 are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Weiss, Jeffrey et al. (US Pub. 2002/0143872)**, herein referred to as

"Weiss" in view of **Markle, Gary et al. (US Pat. 6,721,689)**, herein referred to as

"Markle".

As for claim 22, Weiss teaches a computer implemented method for providing

information relating to service activity for a plurality of building sites:

providing a web portal (par.40,54; clients access common interface to view services and

related information) comprising a database (par.38-39; directory server and database

server used to store information such as providing data), and storing service related

information about a plurality of building sites in said database, said web portable

capable of being operatively connected to one or more clients (par.43,45,47; figure 4

depicts more than one client);

storing service activity information for a plurality of service calls, storing for each of the

plurality of calls a corresponding status of the service calls (par.45; storing provision

data in directory server; par.46 storing work-order data in database server);

receiving at said web portal a request for information about a status of service activity

for one or more building sites from one or more clients (par.47-49;57);

determining at said customer web portal a plurality of service activities that are

implicated by said request (par.49,57); and

communicating from said web portal information implicated by said request such that

said information is capable of being on a client display (par.50); wherein said

communicated service related information is organized by site (figures 7-8; depicts the

user organizing by company/site and services/systems) and includes information

identifying a quantity of service calls having an open status, and information regarding a

quantity of service calls having a closed status (par.48,50,52; a notification system is

used to providing status updates though the control module, such updates of when a

work-order is complete).

Weiss does not specifically in great detail teach providing information about the status

of one or more services for one or more sites/systems; requesting further information

about one or more services and type of one or more services; however in the same field

of endeavor **Markle teaches** providing information about the status of one or more

services for one or more sites/systems (col.9, lines 19-44 (network); col.9, lines 45-65

(status of utilities); requesting further information about one or more services and type

of one or more services (col.10,lines 10-12 and 35-43; lower level menu display; col.10,

lines 44-63 (location information for service); col.11, lines 1-19 (sensor information of

service); col.11,lines 20-40 (condition information of service). In Summary Markle

provides clients an access to an interface that manages an overview of the status of

utilities, environment, security, hazards, equipment, etc... The user is able to view

graphical alerts to the services of a site (site A-D; figure 6) such that the user is able to

quickly view alerts from multiple buildings (facilities) for multiple services (water, gas,

electric, communications, etc...).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to combine Markle into Weiss, this is true because Markle teaches a system

for hosted monitoring solution for the total management of a plurality of facilities; such

facilities might consist of one or more buildings or structures; wherein one type of

monitoring is of utility services; wherein this monitoring is used across a network (col.3,

lines 15-39). Weiss is also concerned with providing a system for managing and

monitoring services for multiple site locations or buildings across a network (par.1, 12).

The combination of Markle into Weiss provides the use of Markle's graphical

organization of data to be presented by an interface to show the status of Wiess's

services; thus providing an interface to monitor the status of services for multiple

buildings.

As for claim 23, Weiss teaches a computer implemented method for providing

information relating to service activity for a plurality of building sites:

providing a web portal (par.40,54) comprising a database (par.38-39), and storing

service related information about a plurality of building sites in said database, said web

portable capable of being operatively connected to one or more clients (par.43,45,47);

storing service activity information for a plurality of service calls, storing for each of the

plurality of calls a corresponding status of the service calls (par.45-46);

receiving at said web portal a request for information about a status of service activity

for one or more building sites from one or more clients (par.47-49,57);

determining at said customer web portal a plurality of service activities that are

implicated by said request (par.49,57); and

communicating from said web portal information implicated by said request such that

said information is capable of being on a client display (par.50); wherein said

communicated service related information is organized by system (fig.7-8), and includes

information identifying a quantity of service calls for each of a plurality of systems

(par.48,50,52).

Weiss does not specifically in great detail teach providing information about the

status of one or more services for one or more sites/systems; requesting further

information about one or more services and type of one or more services; however in

the same field of endeavor **Markle teaches** providing information about the status of

one or more services for one or more sites/systems (col.9, lines 19-44 (network); col.9,

lines 45-65 (status of utilities); requesting further information about one or more services

and type of one or more services (col.10,lines 10-12 and 35-43; lower level menu display; col.10, lines 44-63 (location information for service); col.11, lines 1-19 (sensor information of service); col.11,lines 20-40 (condition information of service). In Summary Markle provides clients an access to an interface that manages an overview of the status of utilities, environment, security, hazards, equipment, etc... The user is able to view graphical alerts to the services of a site (site A-D; figure 6) such that the user is able to quickly view alerts from multiple buildings (facilities) for multiple services (water, gas, electric, communications, etc...).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Markle into Weiss, this is true because Markle teaches a system for hosted monitoring solution for the total management of a plurality of facilities; such facilities might consist of one or more buildings or structures; wherein one type of monitoring is of utility services; wherein this monitoring is used across a network (col.3, lines 15-39). Weiss is also concerned with providing a system for managing and monitoring services for multiple site locations or buildings across a network (par.1, 12). The combination of Markle into Weiss provides the use of Markle's graphical organization of data to be presented by an interface to show the status of Wiess's services; thus providing an interface to monitor the status of services for multiple buildings.

As for claim 34, Weiss teaches a system for providing information relating to service activity for a plurality of building sites comprising:

a web portal (par.40,54) comprising a database (par.38-39) for storing service activity

for a plurality of building sites, said web portal capable of being connected to a plurality

of clients and for receiving at said web portal a request for information about a status of

service activity for one or more building sites from one or more clients (par.43,45,47;

figure 4);

said web portal capable of determining a plurality of service activities that are implicated

by said request (par.48-49,57), said web portal capable of communicating said service

activity information implicated by said request such that said service activity information

is capable of being displayed on a client display (par.50), said communicated service

activity information including information identifying a quantity of service calls having an

open status, and information regarding a quantity of service calls having a closed status

(par.48,50-52): and , wherein said service related information communicated by said

web portal is organized by site (fig.7-8).

Weiss does not specifically in great detail teach providing information about the

status of one or more services for one or more sites/systems; requesting further

information about one or more services and type of one or more services; however in

the same field of endeavor **Markle teaches** providing information about the status of

one or more services for one or more sites/systems (col.9, lines 19-44 (network); col.9,

lines 45-65 (status of utilities); requesting further information about one or more services

and type of one or more services (col.10,lines 10-12 and 35-43; lower level menu

display; col.10, lines 44-63 (location information for service); col.11, lines 1-19 (sensor

information of service); col.11,lines 20-40 (condition information of service). In Summary

Markle provides clients an access to an interface that manages an overview of the status of utilities, environment, security, hazards, equipment, etc… The user is able to view graphical alerts to the services of a site (site A-D; figure 6) such that the user is able to quickly view alerts from multiple buildings (facilities) for multiple services (water, gas, electric, communications, etc...).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Markle into Weiss, this is true because Markle teaches a system for hosted monitoring solution for the total management of a plurality of facilities; such facilities might consist of one or more buildings or structures; wherein one type of monitoring is of utility services; wherein this monitoring is used across a network (col.3, lines 15-39). Weiss is also concerned with providing a system for managing and monitoring services for multiple site locations or buildings across a network (par.1, 12). The combination of Markle into Weiss provides the use of Markle's graphical organization of data to be presented by an interface to show the status of Wiess's services; thus providing an interface to monitor the status of services for multiple buildings.

As for claim 43, Weiss teaches the method according to claim 22, further comprising receiving a request from a client to display further information about an individual service activity, and communicating said further information such that said information is capable of being displayed on a client display (par.42).

As for claim 44, Weiss teaches the method according to claim 22, wherein said service activity information further comprises information relating to the type of service activity being provided (par.58).

As for claim 45, Weiss teaches the method according to claim 22, wherein said service activity information further comprises information about the type of system a service activity is being provided for (par.60).

As for claim 46, Weiss teaches the method according to claim 22, wherein service activity information further comprises information about a call type of a service activity (par.49-50).

As for claim 47, Weiss teaches the method according to claim 22, wherein service activity information further comprises information identifying a quantity of service calls having an open status for each of a plurality of sites in which service activity is being performed, and information regarding a quantity of service calls having a closed status for each of the plurality of sites (par.50-52 and fig.7-8).

As for claim 48, Weiss teaches the method according to claim 22, further comprising receiving a request from a client to obtain further information about an individual

building site and communicating said further information about an individual building site

such that said information is capable of being displayed on a client display (par.54; fig.7-

8).

As for claim 49, Weiss teaches the method according to claim 22, further comprising

receiving a request from a client for information about an individual service order, and

communicating said individual service order information such that said individual service

order information is capable of being displayed on a client display (par.50-52 and fig.9).

As for claim 50, Weiss teaches the method according to claim 23, further comprising

receiving a request from a client to display further information about an individual

service activity, and communicating said further information such that said information is

capable of being displayed on a client display (par.42).

As for claim 51, Weiss teaches the method according to claim 50, wherein the further

information further comprises information about a call type of the individual service

activity (par.49-50).

As for claim 52, Weiss teaches the method according to claim 23, wherein service

activity information further comprises information identifying a quantity of service calls

having an open status for each of a plurality of sites in which service activity is being

performed, and information regarding a quantity of service calls having a closed status for each of the plurality of sites (par.50-52 and fig.7-8).

As for claim 53, Weiss teaches the method according to claim 23, further comprising receiving a request from a client to obtain further information about an individual building site and communicating said further information about an individual building site such that said information is capable of being displayed on a client display (par.42,54; fig.7-8).

As for claim 54, Weiss teaches the system according to claim 34, wherein said web portal is capable of receiving a request for further information about an individual service activity and is capable of communicating said further information such that said information is capable of being displayed on a client display (par.42).

As for claim 55, Weiss teaches the system according to claim 34, wherein the service activity information communicating by said web portal further comprises information relating to the type of service activity being provided (par.58).

(Note :) It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275, 277 (CCPA 1968)).

Response to Arguments

Applicant's arguments with respect to claims 22-23, 34 and 43-55 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquires

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056 and fax is 571-270-2056. The examiner can normally be reached on Monday - Friday: 9:30am- 5:00pm Eastern.

   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven B Theriault/   /Nicholas Augustine/
Primary Examiner, Art Unit 2179   Examiner
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